

COOLEY LLP  
MICHAEL A. ATTANASIO (151529)  
(mattanasio@cooley.com)  
JON F. CIESLAK (268951)  
(jcieslak@cooley.com)  
4401 Eastgate Mall  
San Diego, CA 92121-1909  
Telephone: (858) 550-6000  
Facsimile: (858) 550-6420

Attorneys for Defendant  
HSUAN BIN CHEN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
HSUAN BIN CHEN, et al.,  
  
Defendant.

Case No. CR-09-00110-SI (MJ)

**DEFENDANT HSUAN BIN CHEN'S  
UNOPPOSED APPLICATION AND  
[PROPOSED] ORDER FOR TEMPORARY  
INTERNATIONAL TRAVEL OUTSIDE THE  
NORTHERN DISTRICT OF CALIFORNIA**

Defendant Hsuan Bin Chen hereby requests that this Court permit him to travel outside the Northern District of California, to Hsinchu County, Taiwan, to mourn his mother according to traditional Taiwanese custom. This request is based on the following:

1. On June 13, 2012, Mr. Chen's mother, Mrs. Hsui Mei Chen Yo, who suffered from Stage 3 cancer and other ailments, passed away. Mr. Chen's counsel has provided government counsel and his Pretrial Services Officer (Gelareh Farahmand) with a medical report from Dr. Tse-Ming Kuo at the Koo Foundation Sun Yat-Sen Cancer Center documenting her passing.

2. Mr. Chen's brother has scheduled the funeral for June 15, 2012. Traditional Taiwanese custom includes the performance of ritual chanting for one or two hours, once a week,

1 for seven weeks following the funeral. The funeral arrangements dictate that the last day of this  
2 ritual will be August 3, 2012.

3 3. Mr. Chen will initially travel from Rochester, Minnesota—where he is staying  
4 with family—to San Jose, California. (*See* Dkt. 922). Mr. Chen will then travel by air to Taipei,  
5 Taiwan on June 14, 2012, and will return to the Northern District of California no later than  
6 August 5, 2012. While in Taiwan, he will stay with his wife in the family home, located at 38-1,  
7 4th Lin, Nanpu Tsuen, Beipu Hsian, Hsinchu County, Taiwan.

8 4. Mr. Chen will continue to observe all other terms of his release while in Taiwan.  
9 Through counsel, he will provide the government and his Pretrial Services Officer with his  
10 detailed itinerary.

11 5. In order to facilitate his travel by air consistent with TSA regulations, Mr. Chen  
12 requests that this Court direct Pretrial Services to temporarily return his Taiwanese passport. He  
13 will use the passport to travel to Taiwan and return to the Northern District of California only.  
14 Mr. Chen will return his passport to the custody of Pretrial Services immediately upon his return,  
15 no later than August 5, 2012 (subject only to Pretrial Services' business hours).

16 6. Counsel for Mr. Chen has communicated with Pretrial Services Officer Gelareh  
17 Farahmand by telephone and email concerning this request and Mr. Chen's itinerary.  
18 Ms. Farahmand stated that Pretrial Services does not oppose this request.

19 7. Counsel for Mr. Chen also communicated with Department of Justice attorney  
20 Heather Tewksbury by telephone and email concerning this request. Ms. Tewksbury stated that,  
21 because of the extraordinary circumstances of a parent's death, the government does not oppose  
22 this request.

23 Accordingly, Mr. Chen respectfully requests that the terms of his release bond be  
24 modified temporarily to permit the requested travel.

25  
26  
27  
28

1 Dated: June 13, 2012

COOLEY LLP  
MICHAEL A. ATTANASIO  
JON F. CIESLAK

2  
3  
4  
5 s/ Jon F. Cieslak  
JON F. CIESLAK  
6 Attorneys for Defendant HSUAN BIN CHEN  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Based on the foregoing, and good cause appearing, IT IS HEREBY ORDERED that Defendant Hsuan Bin Chen's conditions of release are hereby modified temporarily to permit him to travel outside of the Northern District of California consistent with the terms and conditions set forth above. Pretrial Services is directed to return Mr. Chen's passport to him or his counsel to permit Mr. Chen to travel as set forth above. Mr. Chen shall immediately return his passport to Pretrial Services when the above-described travel is complete (subject only to Pretrial Services' business hours).

IT IS SO ORDERED.

Dated: June <sup>13</sup>\_\_, 2012



---

THE HONORABLE SUSAN ILLSTON  
United States District Judge

754471 /SD